

08-05-02

CPA/2700

#10

PTO/SB/29 (1000)

8/9/02

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional Applications under 37 CFR 1.53(d))

CHECK BOX, if applicable

☐ DUPLICATE

Address to:

Commissioner of Patents and Trademarks
Box CPA
Washington, DC 20231

Attorney Docket No.
of Prior Application

2100977-991400

First Named Inventor

Mao, et al.

Examiner Name

P. Chieu

Group Art Unit

2615

Express Mail Label No.

EV031170177US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/096,811,
filed on June 12, 1998, entitled Standalone Video CD-Rom Switching Method and System.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on _____
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

08/06/2002 TGEDAMU1 00000113 09096811

Page 1 of 3

01 FC:131
02 FC:122740.00 OP
130.00 OPGray Cary/SAW8036440.1
2100977-991400

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (l))	-20* =		x \$ 18 =	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(B) or (l))	-3** =		x \$ 84 =	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$ =	
				BASIC FEE (37 CFR 1.16)	\$740.00
				Total of above Calculations =	\$740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	\$740.00

6. ☐ Small entity status: Applicant claims small entity status.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 07-1896 :
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 870.00 is enclosed.
9. ☒ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of three months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
10. ☐ New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
11. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized)
12. ☐ Other _____

☒ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

PATENT TRADEMARK OFFICE

Page 2 of 3

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: August 2, 2002

By: 

Peter R. Leal
Reg. No. 24,226
Attorney for Applicant(s)
1755 Embarcadero Road
Palo Alto, CA 94303-3340
Attn: Patent Department
Telephone No. 916-930-3200

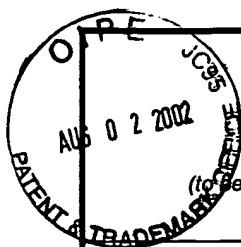
Page 3 of 3

Express Mail Label Number: EV031170177US

I hereby certify that this Continued Prosecution Patent Application is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box CPA, Commissioner of Patents & Trademarks; Washington, DC 20231.

August 2, 2002
Date


Signature

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

09/096,811

Filing Date

June 12, 1998

First Named Inventor

Mao, et al.

Group Art Unit

2615

Examiner Name

P. Chieu

Attorney Docket Number

2100977-991400

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☒ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):Continued Prosecution Application, 3 pgs.
Certificate of Mailing, 1 pg.

Remarks

☒ Customer Number or Bar Code Label

(Insert Customer Number or Bar Code Label here)

PATENT TRADEMARK OFFICE

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: August 2, 2002By: 

Attorney Name: Peter R. Leal, Esq.

Reg. No. 24,226

Attorneys for Applicant(s)

1755 Embarcadero Road

Palo Alto, CA 94303-3340

Attn: Patent Department

Telephone: (916) 930-3200

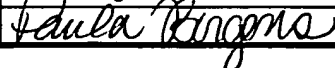
Facsimile: (916) 930-3201

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" in an envelope addressed to Box CPA, Commissioner of Patents and Trademarks, Washington, D.C. 20231 on August 2, 2002.

Typed or printed name

Paula Borgens

Signature



Date

August 2, 2002

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/096,811
Filing Date	June 12, 1998
First Named Inventor	Mao, et al.
Examiner Name	P. Chieu
Group Art Unit	2615
Attorney Docket No.	2100977-991400

TOTAL AMOUNT OF PAYMENT (\$870.00)

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

07-1896

Deposit
Account
Name

Gray Cary Ware & Freidenrich LLP

- ☒ Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check in the amount of \$ 870.00

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$740)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20** =	X		
Independent Claims	-3** =	X	
Multiple Dependent	X		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	80	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
				Request for Suspension of Action under 37 CFR 1.103(b)	130

Other fee (specify) 1.103(b)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$130)

SUBMITTED BY

Name (Print/Type)

Peter R. Leal

Registration No.
(Attorney/Agent)

24,226

Telephone

(916) 930-3200

Signature

Date

August 2, 2002

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Docket No.
2100977-991400

Applicant: Mao, et al.

Serial No.
09/096,811Filing Date
June 12, 1998Examiner
P. ChieuGroup Art Unit
2615

Invention:

STANDALONE VIDEO CD-ROM SWITCHING METHOD AND SYSTEMI hereby certify that this CONTINUED PROSECUTION APPLICATION (CPA)*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Box CPA, Washington, D.C., 20231, on August 2, 2002.

*(Date)*PAULA BORGENS*(Typed or Printed Name of Person Mailing Correspondence)*Paula Borgens*(Signature of Person Mailing Correspondence)*EV 031170177 US*("Express Mail" Mailing Label Number)*



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/096,811	06/12/1998	2615	790	ESS.P002	6	15	3

CONFIRMATION NO. 2246

CORRECTED FILING RECEIPT



OC000000008608423

26379
GARY CARY WARE & FREIDENRICH LLP
1755 EMBARCADERO ROAD
PALO ALTO, CA 94303-3340

Date Mailed: 08/12/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

YU-HAI MAO, SANTA CLARA, CA;
C.Y. CHU, SAN JOSE, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 07/09/1998

CPA filed on: 08/02/2002

Projected Publication Date: 11/21/2002

Non-Publication Request: No

Early Publication Request: No

Title

STANDALONE VIDEO CD-ROM SWITCHING METHOD AND SYSTEM

Preliminary Class

386

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15 (b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).